

**U.S. ENVIRONMENTAL PROTECTION AGENCY
INITIAL POLLUTION REPORT**

I. HEADING

Date: July 11, 1994
From: Kevin Matheis, On-Scene-Coordinator, *Kevin Matheis*
USEPA, REGION II
To: J. Fox, EPA
W. Muszynski, EPA
K. Callahan, EPA
G. Pavlou, EPA
R. Salkie, EPA
G. Zachos, EPA
J. Rotola, EPA
ERD, Washington, (E-Mail)
J. Marshall, EPA
M. Basile, EPA Niagara Falls
E. Schaaf, EPA
E. Kissel, EPA
S. Becker, EPA
M. Jon, EPA-HWFB
M. O'Toole, NYSDEC
F. Shattuck, NYSDEC IX
P. Simon, EPA
I. Purdy, EPA-HWFB
R. Byrns, EPA-OIG
A. Rockmore, NYSDEC
TAT

Subject: Frontier Chemical Processes, Inc. (Tank Action),
Niagara Falls, Niagara County, NY - Cyanides,
Corrosives, Halogenated & Non-Halogenated Solvents

POLREP NO: Two (2)

II. BACKGROUND

SITE/SPILL NO.: CD
D.O. NO.: 2001-02-034
RESPONSE AUTHORITY: CERCLA/SARA
NPL STATUS: Non-NPL
START DATE: May 16, 1994
APPROVAL STATUS: Authorization of Funding from
Assistant Administ. Elliott P. Laws

**STATUS OF \$2 MILLION/
12 MONTH EXEMPTION**
ACTION MEMORANDUM: Signed March 30, 1994
CONSENT ORDER STATUS: Signed by Regional Administrator
**EFFECTIVE DATE OF
CONSENT ORDER:** July 11, 1994
CONSENT ORDER INDEX #: II-CERCLA-94-0205

III. RESPONSE INFORMATION

A. Actions Taken

1. EPA incorporated additional bulk waste shipments into the database and revised the waste-in allocation for the Site. On June 17, 1994 PRPs that had not been Noticed of Potential Liability by EPA were given notice. These PRPs were generators of bulk waste shipments that had not been previously identified by EPA. On June 21, 1994 Notice Letters of Potential Liability were sent to PRPs that had been de minimis, but now are non-de minimis based upon the revised waste-in list. These PRPs were given the opportunity to sign the Administrative Order on Consent (AOC).
2. On July 5, 1994 the AOC was signed by the Regional Administrator. The AOC was transmitted to the steering committee chairman and the effective date of the AOC was July 11, 1994.
3. The OSC met with the PRP consultant on July 11, 1994 marking the start date for the project.
4. ERCS continues tank maintenance actions which include: maintenance associated with EPA's POTW permit, maintaining steam and process lines, pumping storm water runoff from containment areas into storage tanks, tank inspections and volumetric measurements, and repairing tanks and appurtenances. In anticipation of the forthcoming removal action, the maintenance personnel are tracing and color-coding all piping to assist with the engineering.
5. At the request of the PRPs, EPA withheld sampling the tanks. The PRPs indicated to the OSC that they would like to implement the sampling with their consultant.
6. To assist with the numerous information requests, future mailings, and overall administrative support, PSB has issued a work assignment to the enforcement support service (ESS) contract. The PSB work assignment manager and contractors were on-site for several weeks to assist the OSC with administrative needs.

B. Future Actions

1. The PRPs will submit a work plan for EPA review and comment. Work will proceed upon approval of the work plan. The PRPs are anticipating taking over the maintenance of the facility in early August. Sampling of the tanks should occur at that time. The tank waste removal should begin in late september, upon receipt of disposal analysis and approvals.

C. Key Issues

EPA will notify all the PRP deletions and reallocations as a result of the revised waste-in list in the near future.

The non-complying PRPs will be evaluated on a case-by-case basis to determine if EPA will issue a 106 Unilateral Order to the PRPs to cooperate and participate with the consenting PRPs.

IV. COST INFORMATION:

	Amount Budgeted	Cost To Date (As of 07/11/94	Amount Remaining
Cleanup Contractor			
OHM Remediation	\$ 200,000	\$120,000	\$ 80,000
<u>EPA/TAT (ERCS ONLY)</u>	<u>\$ 300,000</u>	<u>\$ 50,000 (EST)</u>	<u>\$ 250,000</u>
SITE TOTAL	\$ 500,000	\$170,000	\$ 330,000